

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

UNITED STATES OF AMERICA,)
v.)
DONALD ALLEN EDWARDS,) Case No. 1:23-cr-004
Defendant.) By: Michael F. Urbanski
) Chief United States District Judge

ORDER

This matter was referred to the Honorable Pamela Meade Sargent, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(3), for the purpose of conducting a plea hearing and a plea colloquy under Rule 11 of the Federal Rules of Criminal Procedure and preparing proposed findings of fact and a recommendation as to the acceptance of such plea as tendered. On September 22, 2023, the Magistrate Judge filed a Report and Recommendation recommending that defendant's plea of guilty be accepted. ECF No. 54.

On October 12, 2023, the court entered an Order accepting in whole Magistrate Judge Sargent's report and recommendation, ECF No. 54, accepting defendant's plea of guilty, and adjudging the defendant guilty as to Counts One, Three and Four, and a lesser included offense in Count Two of the Indictment. Order, ECF No. 56. However, because defendant's Plea Agreement is subject to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure, the court **VACATES** its earlier Order, ECF No. 56. The court accepts defendant's guilty plea as to Counts One, Three and Four, and a lesser included offense in Count Two of the Indictment, but the Plea Agreement is **TAKEN UNDER ADVISEMENT** until completion of the Presentence Report and sentencing.

It is **SO ORDERED.**

Entered: April 3, 2024



Michael F. Urbanski
Chief United States District Judge